

Notice of Allowability	Application No.	Applicant(s)	
	09/820,313	TAKAO ET AL.	
	Examiner	Art Unit	
	Callie E. Shosho	1714	

-- **Th MAILING DATE of this communication appears on th cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 10/7/04 and telephonic interview conducted 1/6/05.
2. ☒ The allowed claim(s) is/are 1,2,4,7-9,13-15 and 18-22.
3. ☒ The drawings filed on 29 March 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachm nt(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>1/6/05</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

(1) Claim 7, line 2, after "the" and before "organic", delete "silicone-based".

(2) Claim 9, line 2, after "from" and before "carboxyl", delete "at least" and insert "the group consisting of at least one"

(3) Claim 14, line 2, after "is" and before "an", insert "obtained from".

2. Authorization for this examiner's amendment was given in a telephone interview with John Bailey on 1/6/05.

Statement of Reasons for Allowance

3. The present claims are allowable over the “closest” prior art Ikeda et al. (U.S. 5,952,429), Tsubuko et al. (U.S. 5,952,048), and Ryntz et al. (U.S. 4,673,718) for the following reasons:

Ikeda et al. disclose ink jet ink comprising organic solvent such as hexane, toluene, xylene, etc., colorant which is carbon black attached to silicone graft copolymer, and additives such as viscosity modifier, surface tension modifier, pH adjustor, and wetting agent. The ratio of silicone graft copolymer to carbon black present in the colorant is 1-1000:100. However, there is no disclosure or suggestion in Ikeda et al. that the silicone graft copolymer is crosslinked with an ester linkage as now required in all the present claims.

Tsubuko et al. disclose ink jet ink comprising pigment including carbon black, organic solvent such as dimethylpolysiloxane, and silicone resin wherein the resin is adsorbed to the pigment. However, there is no disclosure that the silicone resin is a silicone graft copolymer crosslinked with ester linkage as now required in all the present claims. Further, there is no disclosure that the silicone resin is adsorbed to the pigment in amount of 5-3000 parts by weight based on 100 parts by weight of the pigment as now required in all the present claims.

Ryntz et al. disclose hydroxy functional polysiloxane graft copolymer that is crosslinkable by hydroxy reactive crosslinking agent wherein the graft copolymer contains polyester crosslinkages. However, there is no disclosure or suggestion that the silicone graft copolymer is adsorbed by at least a portion of the outer surface of a pigment and thus, no disclosure or suggestion that the silicone graft copolymer is adsorbed to the pigment in amount of 5-3000 parts by weight based on 100 parts by weight of the pigment as now required in all the

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present claims. Further, Ryntz et al. is drawn to coating composition for different applications including motor vehicle body panel coatings with no disclosure of ink as required in all the present claims.

Thus, it is clear that Ikeda et al., Tsubuko et al., and Ryntz et al., either alone or in combination, do not disclose or suggest the present invention.

Further, it is noted that applicants' amendment filed 10/7/04 overcomes the 35 USC 112, first paragraph rejection of record.

In light of the above, it is clear that the rejections of record are untenable and so, the present claims are passed to issue.

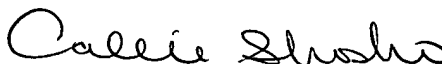
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Callie E. Shosho whose telephone number is 571-272-1123. The examiner can normally be reached on Monday-Friday (6:30-4:00) Alternate Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on 571-272-1119. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Callie E. Shosho
Primary Examiner
Art Unit 1714

CS
1/7/05